

KARNATAKA GANDHI SMARAKA NIDHI

No.11, GANDHI BHAVAN, KUMARAPARK EAST
BANGALORE - 560 001

Memorandum of Association

KARNATAKA GANDHI SMARAKA NIDHI

No.11, GANDHI BHAVAN, KUMARAPARK EAST

BANGALORE - 560 001

KARNATAKA GANDHI SMARAKA NIDHI

Memorandum of Association

1. The name of the society shall be "Karnataka Gandhi Smaraka Nidhi"
2. The word 'Society' shall here under mean the Karnataka Gandhi Smaraka Nidhi.
3. The 'Nidhi' mean the Karnataka Gandhi Smaraka Nidhi.
4. The whole territory known as the Karnataka and such other areas as may be decided upon by the society subject to the approval of the Chairman, Gandhi Smaraka Nidhi, New Delhi, shall be the region with in which it shall function.
5. The registered office of the society shall be at Bangalore or at such other place as may be decided at a special meeting of the General Body called for the purpose.
6. The objects of the Society shall be as follows.
 - I. Conduct and promote in the region as defined in the clause 4 above, manifold constructive activities with which Mahatma Gandhi was associated during his life time and all such activities required in furtherance of the ideals of truth and non-violence, including such activities as are carried on from time to time the Gandhi

Smaraka Nidhi, New Delhi, and as enumerated below.

1. National unity and International Peace and amity.
2. Communal and social harmony and brotherhood, social disabilities;
3. Removal of untouchability and such other narcotic drugs.
4. Prohibition of alcoholic and other narcotic drugs.
5. Diffusion of knowledge regarding the Khadi and other Village Industries and Handicrafts.
6. Nai Talim or New Education (Pre-basic, and Post basic)
7. Adult Education.
8. Education in health, hygiene and sanitation especially in rural areas.
9. Promotion of National Language Hindi and all other languages in India.
10. Progress of women and children and welfare of students.
11. Social and economic equality.
12. Promotion and progress of agriculture and animal husbandry
13. Promotion of all sided welfare of the Kisans, Labor classes, Adivasis and others in the same or similar category.
14. Eradication of Leprosy.
15. Naturopathy.

- II. Establishment and maintenance of work centers either registered under the Karnataka Societies Registration Act 1960, Section 17 or otherwise and giving grants to others organization, Ashrams and or Institution of any kind for or connected with any of the aforesaid activities, and approved by the Society.
- III. Encouragement and provision of sanitary facilities and promotion of preventive and other measure for the health of the people especially in rural or poverty stricken areas.
- IV. Rendering help for the eradication, prevention and cure of leprosy to the Gandhi Memorial Leprosy Foundation, Wardha and other similar organizations and institutions and research centers as and when deemed necessary and possible.
- V. Promotion and encouragement of Nai Talim or Basic Education, training of children and adults for citizenship and of women especially in domestic science and training in handicrafts, cottage industries and other useful crafts and arts especially in the rural areas.
- VI. Collection, preservation, publication and propagation, particularly in the language current in the state, of Mahatma Gandhiji's writings and teachings and establishment of study centers and libraries for such purposes.

VII.To maintain museums for preservation and exhibition of photographs portraits, paintings, records, films various relics, object of veneration books, articles and other things connected with Mahatma Gandhi and his way of and outlook on life.

VIII.Preservation and protection of various places associated with Mahatma Gandhiji's work and life in the state.

IX. Provide for the training of students and of men and women for carrying out one or more of the aforesaid activities.

X. Rendering help to any existing institution or institutions to be established hereafter, and in an special circumstances to any individual or individuals or persons carrying on or undertaking to carry on in the region, more especially in the rural areas, work falling within all or any of the objects mentioned in the sub-clause II.

(Prof.H.R.Dase Gowda)

Secretary

Karnataka Gandhi Smaraka Nidhi

No.11,Gandhi Bhavan

KumaraparkEast

BANGALORE-560 001

Revised rules and regulations in the constitution of the Karnataka Gandhi Smaraka Nidhi, as passed in the meeting dated 06.02.1971.

RULES AND REGULATIONS

1. The Karnataka Gandhi Smaraka Nidhi will consist of not less than seven and not more than eleven members who
 - a) Subscribe in writing to carry out to the best of their capacity the objects of the State Nidhi.
 - b) Are habitual and full Khadi wearers and do not deal in mill yarn, mill cloth or uncertified Khadi and stand for prohibition and do not engage in any activity, which involves manufacture or sale of narcotics, and
 - c) Do not engage themselves in party and power politics and stand for elections;

Provided that the above rule will be applicable only to persons who become member after these amendments are registered , and some into operation and after the tenure of the present members is over and shall not apply to the present members(1971).

Exception however can be made, in very special cases, if a name is unanimously agreed upon.

As far as possible two of them shall be from amongst the full time workers of this Nidhi.

2. The terms of the membership shall be three years. After first three years 1/3 members shall retire and be replaced by the election by the existing members every year as per following method. The first group shall retire in the 4th year, the second in the 5th year and third in the 6th year. The name of those who retire successively shall be decided by lots in a special meeting called for the purpose.

After the 6th year, the rotation of the retirement of 1/3 members shall be automatic. A member whose term has expired shall be eligible for re-election.

Provided that this rule comes into operation after the expiry of the tenure of the present membership i.e. after the year 1972.

3. Except in the initial stage, governed by rule No.2, every member of this Nidhi shall hold office for a period of three years, if not otherwise disqualified by any of the rules of this Nidhi or any other law for the time being in force.
4. Any vacancy that may arise in this Nidhi due to death or resignation or any other cause shall be filled in by election by the remaining members of this Nidhi at a meeting in the agenda of which this subject has been specially mentioned and such elected member shall have all the rights of the other members for the period for which he fills the vacancy.
5. The period of membership of the newly elected member, in the contingency referred to in rule 4, shall be for the unexpired period of the member in respect of whom the casual vacancy arose.

6. There shall be a Chairman and a Secretary of this Nidhi. However it is necessary for any of its functions of this Nidhi may make a member as an office bearer and give him appropriate designation and allowance if necessary.
7. The Chairman shall be unanimously elected by the members of this Nidhi from amongst its members and in case of unanimity not being possible, a request shall be made to the Chairman of the Central Gandhi Smarak Nidhi, to nominate the Chairman of this Nidhi. The period of the Chairmanship shall be according with the term of his membership or three years, which ever is less. If the Chairman, selected devotes his full time to the work of the Nidhi .he will be entitled to draw appropriate honorarium or allowance as sanctioned by this Nidhi.
8. The Secretary, who shall be a full time worker shall be selected by the Chairman from amongst the members and this honorarium or salary may be fixed by the Chairman provided the tenure of the present (1971) Secretary is not affected.
9. The management, administration and control of all activities and matters connected with this Nidhi shall be vested in this Nidhi. This Nidhi in the execution of its objects shall broadly work in line with the policies laid down by the Gandhi Smarak Nidhi, Rajghat, New Delhi.
10. This Nidhi shall have charge of all funds, monies movable and immovable properties of this Nidhi. Such funds and property shall stand in the name of this Nidhi as decided by this Nidhi for the purposes

of this Nidhi.

11. This Nidhi shall be competent to invest the funds of this Nidhi, to lend and to receive monies on behalf of this Nidhi, to sell ,lease mortgage or otherwise dispose of properties and assets of this Nidhi , to borrow on hypothecation or in such other manner as may be necessary and to use and deal with funds of this Nidhi generally but always for the purpose of this Nidhi, and as decided upon by this Nidhi, prior to such action.
- 11(a) The funds and the income of the Nidhi shall be solely utilized for the achievement of its objectives and no portion of it shall be utilized for payment of the members of the Nidhi by way of profit, interest, dividends etc.

MEETINGS

12. There shall be at least one annual general meeting of this every year when the audited accounts of the year along with the report of work and activities during the year and the budget for the ensuing year are submitted by the Secretary, and are considered and passed.
13. The quorum for the meeting of this Nidhi, shall be $\frac{1}{3}$ of the total members of this Nidhi. If there is no quorum at any meeting ,the business of the meeting may be transacted at the adjourned meeting.
14. The Chairman shall preside over all the meetings of the Nidhi.

15. In the absence of the Chairman one of the members present voted to the Chair by the members present, shall preside.
16. The members of this Nidhi shall also ordinarily meet once in every three months for reviewing the work of the Nidhi and the meetings shall be convened by the Secretary on clear 7 days previous notice in writing.
17. A meeting should be called by the Secretary on a requisition in writing by any 5 members of this Nidhi, setting forth the reasons and objects of calling the same within 7 days of the receipt of the requisition. The Secretary shall with the consent of the Chairman have power to call any urgent meeting on giving notice of at least three clear days.
18. All questions before a meeting shall be decided upon generally by a consensus of opinion and if necessary by a majority of votes. The Chairman shall have a casting vote as a member.
19. Nothing herein laid down shall invalidate any action taken under these rules and in good faith merely because of a technical irregularity of procedure.

SECRETARY

20. It shall be the duty of the Secretary:
 - (a) To call meetings of the Nidhi in consultation with the Chairman or when directed to do so by the Chairman.

- (b) To maintain under the directions of this Nidhi true and full accounts of all the financial transactions, fund and property of or under the control or administration of this Nidhi and get them audited by chartered accountants appointed by this Nidhi.
- (c) To keep true and correct minutes of all meetings of this Nidhi.
- (d) To keep and preserve the records of this Nidhi.
- (e) To carry on correspondence for and on behalf of this Nidhi.
- (f) To submit to this Nidhi annual budget estimates of this Nidhi and other institutions under its control, if any.
- (g) To present to this Nidhi for their approval a draft annual report with audited statement of accounts for consideration.
- (h) Generally to do all such things of this Nidhi from time to time.

FINANCE

- 21. The Property and funds of this Nidhi shall belong to this Nidhi and to no individual member or members.
- 22. The official year of this Nidhi shall be reckoned from 1st April to 31st March, or otherwise as decided by this Nidhi in consultation with the Central Gandhi Smaraka Nidhi.

- 22(a) There shall be maintained all accounts of the Nidhi regularly. The accounts shall be duly audited by a Chartered Accountant. Every year the accounts shall be closed by 31st March **(amendment on 06.02.1971)**
23. The funds of this Nidhi shall be deposited in a bank or banks (the amount and the bank or banks being decided upon by this Nidhi) and for the purpose of this Nidhi and the account or accounts shall be operated jointly by the President or Secretary and one other member.
- 23(a). The funds of the Nidhi shall be invested in the modes specified under the provisions of section 13 (1) (d) r.w.s.11 (5) of I.T.Act.1961, as amended from time to time. **(amendment on 06.02.1971)**

SUITS AND CONTRACTS

24. This Nidhi shall be used in the name of the Secretary and written contracts entered into for and on behalf of this Nidhi shall be executed by him and counter signed by the Chairman.

GENERAL

25. No rules of this Nidhi framed and embodied herein shall be modified or altered nor shall any new rules be framed unless they have the approval of the majority of members present at a meeting convened for the purpose and further that they have been approved in writing by the Chairman of the Gandhi Smarak Nidhi, Rajghat, New Delhi and such Government authority, competent to approve such changes.

- 25(a) No amendments to the Rules and Regulations shall be made which may prove to be repugnant to the provisions of sections 2(15), 11, 12, 13 and 80 (G) of the I.T. Act 1961 as amended from time to time. Further no amendment shall be carried out without the prior approval of the Commissioner of Income Tax **(amendment on 06.02.1971)**
26. No member of this Nidhi shall continue the membership of the same in case of insolvency, absence out of India without leave for more than six months or mental incapacity from doing any active work so declared by a qualified doctor.
27. This Nidhi shall have the power to settle, compromise or compound out or court all suits, disputes and other proceedings either by themselves or through reference to arbitration and to adjust and settle all accounts relating to the funds and property of this Nidhi, as if they were absolutely entitled to the same and the members shall not be answerable for any losses occasioned thereby.
28. The members of this Nidhi shall be entitled to be reimbursed and also to pay and discharge out of the funds of this Nidhi all expenses incurred by them or on their behalf in or about the execution of the work of this Nidhi duly entrusted to them.
29. In the event of dissolution or winding of the Nidhi, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the members of the Nidhi. All the property belonging to this Nidhi on its dissolution, after satisfying the liabilities of the same, shall vest in and belong to the

Gandhi Smaraka Nidhi, Rajghat, New Delhi, which will utilize these assets for the benefit of the area of operation of this Nidhi. In case the Central Gandhi Smaraka Nidhi is not in existence these assets shall be handed over to an association or society having similar objects and which enjoys recognition U/s 80G of the I.T. Act 1961 as amended from time to time and for the benefits of the area of operation of this Nidhi

30. For carrying out the objects of this Nidhi mentioned in the Memorandum of Association of this Nidhi, it shall have the power to take the following among other necessary steps.

- i) To acquire by private negotiation or through the machinery of the Land Acquisition Act immovable property suitable for carrying out the objects mentioned above as and when deemed necessary.
- ii) To raise or acquire funds or property and hold the same by way of donations, grants or contributions conditional or otherwise and loans from the public or from any other source or carrying out of the objects of this Nidhi.
- iii) To deal with its properties and monies in such manner as is necessary for the purpose of this Nidhi including investing, selling, buying, mortgaging, leasing and taking on hire or lease and encumbering.
- iv) To present a budget along with the annual report and audited accounts of the year to and keep close liason with the Gandhi Smaraka Nidhi , Rajghat,

New Delhi for information and to receive the amount from Gandhi Smaraka Nidhi, Rajghat, New Delhi from time to time.

- v) To carry out any other activity incidental or germane to the efficient fulfillments of the aforesaid objects provided that all or any activity, Ashram, Institution or organization maintained or, assisted by this Nidhi in such a way as not to allow any discrimination on grounds of race, region, religion, caste, creed or sex.
 - vi) To make as well as change rules and regulation for the conduct of its own business for carrying out the work of this Nidhi subject to rule No.25.
 - vii) To appoint a sub-committee or sub-committees temporary or ad-hoc for any particular purpose of this Nidhi.
31. This Nidhi may, when it deems it necessary or proper, seek advice of the Central Gandhi Smaraka Nidhi.

Prof.H.R.Dase Gowda
Secretary
Karnataka Gandhi Smaraka Nidhi
No.11, Gandhi Bhavan,
Kumara park, Bangalore-560 001